

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Daniel R. Haller,
Plaintiff

v.

Case No. 1:11-cv-881

U.S. Department of Housing &
Urban Development, et al.,
Defendants

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed February 1, 2013 (Doc. 80).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. The motion to dismiss filed by defendant Commodity Futures Trading Commission is **GRANTED** and the claims against this defendant are **DISMISSED with prejudice**. The motion to dismiss filed by defendants United States Department of Housing and Urban Development, Office of the Comptroller of the Currency, Office of Thrift Supervision, Board of Governors of the Federal Reserve System, Consumer Financial Protection Bureau, United States Securities and Exchange Commission, and the United States Department of the Treasury is **GRANTED** pursuant to Fed. R. Civ. P. 12(b)(5) and the claims against

these defendants are **DISMISSED without prejudice**. The claims against defendants FDIC and National Credit Union Administration are **DISMISSED**.

Date: March 4, 2013

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court